



**Professional Engineering Procurement Services
(PEPS) Division
Solicitation Number: 36-5RFP5114**

October 9, 2014 – This Solicitation has been changed.

The following sections have been revised as follows:

Professional Services – HUB Subcontracting Information

Possible Subcontracting Opportunities by TxDOT Precertification Group or Category, or Non-Listed Group or Category

Group	Categories	Group Name
11	11.1.1, 11.2.1	Construction Management
12	12.1.1, 12.1.2, 12.2.1	Materials Inspection and Testing
14	14.1.1, 14.2.1, 14.3.1 , 14.4.1	Geotechnical Services
18	18.1.1 , 18.2.1	Miscellaneous
Non-Listed Work Categories	NLC1 NLC2 NLC3	"Utility Adjustment Coordination" "Construction Scheduling Support – General" "Environmental Inspections"

**Original Posting Date: September 29, 2014
Posting Period: 15 Days**

**REQUEST FOR QUALIFICATIONS (RFQ) TO CONTRACT
FOR
INDEFINITE DELIVERABLE CONTRACTS**

STREAMLINED PROCESS (WITH INTERVIEW) – WITH HUB GOAL

The Texas Department of Transportation (TxDOT) intends to enter into six (6) indefinite deliverable contracts with prime providers pursuant to Texas Government Code, Chapter 2254, Subchapter A, and 43 Texas Administrative Code (TAC) §§9.30-9.42, to provide the following services.

The approximate amount for each contract is \$3,500,000, which is included for informational purposes only and may be adjusted by TxDOT.

The contracts will be assigned to providers in order of rank. The contracts with the highest estimated values will be assigned to the highest ranked or top providers selected, and so forth until all of the contracts have been assigned. The contract amounts are included for informational purposes only and may be adjusted by TxDOT.

Description of Services to be Provided:

The PEPS Fort Worth Service Center is advertising for the following type of Engineering service, Construction Engineering & Inspection (CEI), involving the inspection of roadway, bridge, and related highway structures to ensure construction is in accordance with plans and specifications. The provider inspects and conducts materials testing to verify materials meet required specifications, monitors daily production and materials assigned to the project, and documents work progress performed for payment.

It is expected at the time of the solicitation that work will be primarily in the San Angelo, Abilene, Odessa, El Paso and Fort Worth districts, but work may be required in other districts.

For additional information, the following files are attached to this solicitation:

- TxDOT Contract Template
- Draft - Services to be Provided by the State
- Draft - Services to be Provided by the Engineer

Statement of Qualifications (SOQ) Deadline and Submittal Information:

SOQs must be received prior to **12:00 p.m. CT, on Tuesday, October 14 2014.**

Any SOQs received after the deadline date and time shown above will not be considered.

SOQs will be accepted by hand delivery to TxDOT, PEPS Fort Worth Service Center, 2501 SW Loop 820, Fort Worth, TX 76133, Attention: Joe McCarthy, or by mail addressed to TxDOT, PEPS Fort Worth Service Center, 2501 SW Loop 820, Fort Worth, TX 76133, Attention: Joe McCarthy.

SOQs will not be accepted by fax or electronic mail.

To verify that the SOQ was received, the provider may contact the managing office by email, at Joe.McCarthy@txdot.gov, using the standard subject line "Verification of SOQ receipt, Solicitation # 36-5RFP5114.

Conflict of Interest:

TxDOT requires that its consultants and subconsultants be able to work solely in TxDOT's interest, without conflicting financial or personal incentives. TxDOT reserves the right to disqualify any prime provider or subprovider, or to place contractual limits on work or on personnel, if there is a conflict of interest that might affect or might be seen to affect the prime provider's or subproviders's duty to act solely in the interest of TxDOT.

A conflict of interest may involve conflicting incentives with regard to the firm as a whole, or any employee. The conflict may arise between the provider's work under a contract entered as a result of this solicitation and a relationship involving TxDOT, a construction contractor, another engineering firm, a materials testing firm, a third party affected by the project, a subprovider for any other consultant or contractor, or any other entity with an interest in a project on which work is performed under a contract entered as a result of this solicitation.

Evaluation Criteria:

SOQs submitted in response to this Solicitation will be evaluated according to the criteria provided in the *Attachment 2: Questions and Responses Template*.

Questions and Responses (Q&R):

Firms must respond to the questions stated in *Attachment 2: Q&R Template*. Responses must be submitted on the *Q&R Template*. No other format will be accepted.

Responses are limited to space allotted in the *Q&R Template*. Content outside the space allotted in the *Q&R Template* will not be evaluated. Additional pages will not be accepted, except for the attachments listed under the section **SOQ Submittal Format**.

Any false statement provided by a firm may void the submitted response. TxDOT may take any additional action provided by law regarding false statements submitted as part of the solicitation.

Work Categories and the % of Work Per Category:

Attachment 5 – Project Team Composition (Part 3 of 3) form indicates the categories that are engineering and design related services. Refer to the **Administrative Qualification Requirements** section to ensure that all requirements are met for applicable firms.

Standard Work Categories:

11.1.1 Roadway Construction Management & Inspection (35%)

11.2.1 Major Bridge Construction Management & Inspection (17%)

12.1.1 Asphaltic Concrete (12%)

12.1.2 Portland Cement Concrete (9%)

12.2.1 Plant Inspection and Testing (2%)

14.1.1 Soil Exploration (6%)

14.2.1 Geotechnical Testing (2%)

18.2.1 Subsurface Utility Engineering (2%)

Non-Listed Work Categories (NLCs):

NLC-1 Utility Adjustment Coordination (5%)

Description: This category involves holding utility coordination meetings with individual utility companies, coordination and communication with utilities, and utility agreement preparation.

Minimum Requirements: The team must include one (1) individual, as task leader, with two (2) years demonstrated experience in utility coordination and agreement preparation as a Lead Worker.

NLC-2 Construction Scheduling Support - General (5%)

Description: Construction Project Scheduling, Analysis and Review. This category includes the performance of scheduling, analyzing, monitoring and evaluating highway construction project progress using the critical path method technique for project scheduling.

Minimum Requirements: The team must include one (1) Professional Engineer with a minimum of three (3) years of responsible charge experience in scheduling, analyzing, monitoring and evaluating a construction project progress using the critical path method technique. This employee must be knowledgeable in techniques used in highway construction and have experience in using SureTrack, Microsoft Project, Primavera P3 or P6 Project Management and Claim Digger software performing the following:

- Scheduling and tracking a project's progress.
- Identifying the schedule activities that control the overall construction time or the critical path.
- Identifying and measuring the impact any change has on a project schedule.
- Providing recommendations to resolve the time, scope, and cost aspects of project changes or delays.

NLC-3 Environmental Inspections (5%)

Description: Conduct environmental inspections at roadway construction project site for Storm Water Pollution Prevention Plan (SW3P), the Environmental Permits Issues and Commitments (EPIC) Sheet, Construction General Permit (CGP), and District Standard Operating Procedures (SOP).

Minimum Requirements: The firm must employ:

- One (1) task leader with a minimum of five (5) years of demonstrated construction storm water inspection experience. The person must have a working knowledge of the Texas Commission on Environmental Quality's development and storm water quality Best Management Practices.
- Sufficient inspection staff with construction storm water inspection experience to perform these activities

Major Work Categories:

11.1.1 Roadway Construction Management & Inspection

11.2.1 Major Bridge Construction Management & Inspection

12.1.1 Asphaltic Concrete

12.1.2 Portland Cement Concrete

Precertification Requirements:

Standard Work Categories:

Task leaders, must be precertified by the SOQ deadline date and time specified in this Solicitation, for each of the advertised work categories they are identified to lead. Precertification status of subprovider task leaders, by individual, can be verified through the CCIS database using the *Employee Precertification Categories* query tool with a CCIS employee sequence number.

Non-Listed Work Categories:

Precertification is not applicable to non-listed categories (NLCs). Each proposed task leader of a NLC must show their qualifications to meet the minimum requirements on *Attachment 6: NLC Template*. This attachment will only be used to determine if minimum requirements are met. The content of the attachment will not be evaluated.

Annual Firm Renewal Requirement:

Annual renewal is governed by Section 9.33(i) of Title 43 in the Texas Administrative Code (TAC). The following is a summary of that requirement.

All precertified firms must complete the annual renewal process between January 1 and March 31 each year to maintain Active status for the firm. Active status is required for prime providers and subproviders with task leaders identified for standard work categories. As applicable, firms must obtain Active status by the RFQ deadline date and time specified in this solicitation. Active status is not required for firms proposing to perform only NLC services. Additional information on annual renewal for precertified firms is available on TxDOT's internet web site at: [Annual Renewal for Precertified Firms](#)

A list of Active precertified firms is available at: [Active TxDOT Precertified Firms](#)

Administrative Qualification Requirements:

Administrative qualification is not required to compete for solicitations using this process.

When applicable, administrative qualification is a process used by the department to verify that a provider has an indirect cost rate that meets department requirements.

Administrative Qualification is governed by Section 9.34(b) of Title 43 in the Texas Administrative Code (TAC).

Requirements are summarized on TxDOT's website, which includes a list of firms and their administrative qualification status. The website is found at the following location: [Administrative Qualification](#)

The TAC exempts non-engineering firms and certain service types from administrative qualification. For such firms and service types, an indirect cost rate is not required.

For information purposes only, *Attachment 5 - Project Team Composition Form* (Part 3 of 3), indicates the work categories that are exempt from administrative qualification for this solicitation.

For firms not subject to exemption, if selected, an indirect cost rate is necessary for rate schedule development. These firms have two options:

- Be administratively qualified by selection notification, or
- Accept the TxDOT developed indirect cost rate of 145%.

Administrative qualification information is for TxDOT use only. This information will only be released with the approval of the provider or as required by state or federal statute.

Prime Provider Certification Statements:

See *Attachment 1: Cover Page* for certification information. The prime provider must certify that they meet the following requirements:

- The prime firm is registered or licensed with the Texas Board of Professional Engineers. If proposing as a joint venture, the requirement applies to each joint venture member.
- Individuals on the project team are currently employed by either the prime provider or a subprovider firm identified on the team.
- A professional engineer registered or licensed in Texas will sign and seal the work to be performed on the contract.
- The prime provider shall perform at least 30 percent of the contracted work with its own work force.

Project Manager Requirement:

The prime provider's project manager, as proposed in the SOQ, is required to be a registered Professional Engineer licensed in Texas by the SOQ deadline specified in this Solicitation.

Project Manager Commitment:

TxDOT expects the prime provider to commit its project manager, as proposed in the SOQ, to the duration of the contract. TxDOT further expects the project manager's commitment to the contract to include commitment as project manager to each work authorization without further delegation or substitution over the course of the contract. In selecting a provider, TxDOT evaluates the project manager's qualifications and skills against the specific requirements and unique demands of the contract. The project manager's commitment to the duration of the contract, therefore, is of key importance to TxDOT. Project manager replacement, while not strictly prohibited, will require TxDOT's prior consent. Any such replacements will be subject to the terms of the agreement.

Joint Venture Requirements:

TxDOT allows joint ventures. Submittal of a joint venture proposal is at the discretion of the provider. A joint venture is considered the prime. In order for a joint venture to be precertified, each firm included in the joint venture must be precertified, unless a firm is performing only work identified by non-listed work categories. All joint venture parties must be clearly identified.

A single project manager must be identified on *Attachment 4: Organization Chart* to represent the joint venture.

All joint venture parties will be required to sign the contract and take equal 100% responsibility for the contract. Refer to **Prime Provider Certification Statements** section for additional requirements.

Employment Law:

A prime provider or subprovider currently employing former TxDOT employees must be aware of the revolving door employment laws and rules, including Government Code, Chapters §572.054 and §2252.901 and Texas Administrative Code, Rules §10.6, §10.101, and §10.102. The firm and former TxDOT employees are responsible for understanding and adhering to these rules and laws.

State of Texas Historically Underutilized Business (HUB) Subcontracting Plan (HSP) Requirement:

This is a state-funded contract and it has been determined by TxDOT that there are probable subcontracting opportunities in the scope of work for this contract. The assigned HUB subcontracting goal for participation in the work to be performed under this contract is **15%** of the contract amount.

Each subprovider listed to meet the assigned HUB subcontracting goal must be HUB-certified in the Business Category applicable to the type of service being offered by that firm. For example:

- A firm offering architecture, engineering, or surveying services must be HUB-certified in Business Category 05: Architectural/Engineering and Surveying Services.
- A firm offering another type of service, such as environmental services, must be HUB-certified in either Business Category 05 or Business Category 06: Other Services Including Legal Services.

A firm not HUB-certified in the Business Category applicable to the type of service being offered will not be counted toward the assigned HUB subcontracting goal.

Detailed information on HUB subcontracting is shown at the end of this solicitation under the **Professional Services - HUB Subcontracting Information** section.

This is a state-funded contract and a State of Texas HUB Subcontracting Plan is not required.

Statement of Qualifications (SOQ) Submittal Format:

The prime provider must submit **six (6)** duplicate original SOQs. Each SOQ must be submitted with a single staple in the upper left-hand corner. No other binding will be accepted.

The SOQ submittal must consist of and is limited to the following attachments in numerical order:

Attachment 1: SOQ Cover Page – See the fillable file attached to this Solicitation.

Attachment 2: Questions & Responses (Q&R) Template – See the fillable file attached to this Solicitation.

Attachment 3: Graphics Page - A graphics page may be submitted to support the responses in the *Attachment 2 - Q&R Template*. The graphics page may include drawings, diagrams, charts, tables, or other visual aids. This attachment is limited to one (1) 11" x 17" page, single-sided. For scanning and legibility, a minimum font size of 10 point must be used, and Arial font is preferred.

(Label "*Graphics Page*". If a graphics page will not be included, insert a single page titled "*Graphics Page - Intentionally Left Blank*".)

Attachment 4: Organization Chart - The task leaders shown on the org chart must be consistent with those identified on *Attachment 5: Project Team Composition Form* (Parts 1, 2, and 3). Other personnel may be identified at the prime provider's discretion. This attachment is limited to one (1) 11" x 17" page, single-sided. For scanning and legibility, a minimum font size of 10 point must be used, and Arial font is preferred. The organization (org) chart must contain the following:

- Project manager's and task leaders' name, and contract responsibilities by work category.
- The prime provider's and subproviders' name, address, email, and telephone number, by each firm. The abbreviation of firm names is acceptable.

(Label "*Organization Chart*".)

Attachment 5: Project Team Composition Form (Parts 1, 2 and 3) – See the fillable file attached to this Solicitation. Prime provider and subprovider names listed in the Project Team Composition (PTC) form should be the legal firm names as registered with the Texas Comptroller of Public Accounts. For precertified firms, the firm name in the TxDOT CCIS database should also be the legal firm names as registered with the Texas Comptroller of Public Accounts. **(When complete, three parts will be available to print. Instructions for completing and printing Parts 1, 2, and 3 are included on Part 1, under the button labeled "Instructions".)**

Attachment 6: Non-Listed Categories (NLC) Template - See the fillable file attached to this Solicitation. Complete for each NLC shown under the section for **Work Categories and the % of Work Per Category**. Detail how the proposed task leader for the NLC meets the minimum qualifications to perform the work.

Attachment 7: Non-TxDOT Client Verification Form - This form must list the contract numbers for any non-TxDOT work referenced in the *Attachment 2: Q&R Template*.

Attachment 8: HUB Subcontracting Plan (HSP) - See the section **Professional Services – HUB Subcontracting Information** for instructions to download and complete the required form.

Project Manager or Task Leader Replacement during Selection:

Prior to short list notification, the prime provider's project manager may be replaced only by another prime provider staff person proposed in the SOQ, as approved in writing by the consultant selection team (CST).

Prior to short list notification, a task leader may be replaced by another precertified person proposed in the SOQ from the team, as approved in writing by the CST.

Selection Procedure:

Providers will be short-listed based on their SOQ scores.

A short list meeting with providers advancing to the short list will not be held.

Providers advancing to the short list will participate in an interview. These providers will be issued an *Interview and Contract Guide (ICG)* containing instructions for the interview. The prime provider's project manager must be present for and participate in the interview or the provider will be removed from further consideration. The project manager may attend only one interview.

Attendance is limited to the following individuals: The task leaders of the major work categories listed in this Solicitation must attend the interview with the project manager. Each attendee must be identified in *Attachment 4: Organization Chart*.

Interviews will be evaluated, and the interview score will be the basis for the selection. Interviews will be scheduled the week of November 17, 2014.

Contract Information:

Contract execution is expected by December, 2014.

The proposed contract payment type is specified rate / lump sum / unit cost.

Work authorizations (WA) may be issued within the first two years of the contract. Contract duration is expected through the latest WA termination date.

Work authorizations under the contract(s) will be issued in conformance with TxDOT's current policies and procedures.

Debriefs:

Debriefs may be conducted to discuss the provider's SOQ or interview. Note that no debriefs will be held prior to provider selection. Debriefs for shortlisted providers will be held after contract execution. Requests for debriefs will be accommodated up to four months after contract execution.

Special Accommodations:

To request special accommodations pursuant to the Americans with Disabilities Act (ADA), please notify the contact shown below, a minimum of 48 hours prior to a scheduled meeting.

Joe McCarthy at Joe.McCarthy@txdot.gov, using the standard subject line:

Special Accommodations, Solicitation # 36-5RFP5114

Questions about this Solicitation:

Questions regarding this Solicitation must be submitted in writing (via email) to Joe McCarthy at Joe.McCarthy@txdot.gov to be considered. Submit questions using the standard subject line: Questions & Answers, Solicitation # 36-5RFP5114.

The deadline for submitting questions regarding this Solicitation is **12:00 p.m. CT, on Monday, October 6, 2014.**

Significant and relevant *Solicitation Questions and Answers* will be posted on TxDOT's website by **Thursday, October 9 2014**. They will be posted under this Solicitation

Number, at the following location under the button label "*Solicitation Questions and Answers*": [Contract Solicitation Documents and Information](#)

Professional Services – HUB Subcontracting Information

It is the policy of this Agency to promote and encourage contracting and subcontracting opportunities for State of Texas certified Historically Underutilized Businesses (HUBs) in all contracts in compliance with Texas Government Code, Chapter 2161. Respondents are encouraged to become HUB certified. State of Texas HUB applications may be found at: <http://www.window.state.tx.us/procurement/prog/hub/hub-forms>. The rules for the State of Texas HUB Program can be found in 34 TAC §§20.10 – 20.28 on the Texas Comptroller of Public Accounts (TxCPA) website under Historically Underutilized Businesses (HUB) Program.

The following table includes probable areas of subcontracting, but in no way should be considered an exhaustive list. Other areas of subcontracting may be more appropriate given your business structure and internal resources.

Possible Subcontracting Opportunities by TxDOT Precertification Group or Category, or Non-Listed Group or Category

Group	Categories	Group Name
11	11.1.1, 11.2.1	Construction Management
12	12.1.1, 12.1.2, 12.2.1	Materials Inspection and Testing
14	14.1.1, 14.2.1	Geotechnical Services
18	18.2.1	Miscellaneous
Non-Listed Work Categories	NLC1 NLC2 NLC3	"Utility Adjustment Coordination" "Construction Scheduling Support – General" "Environmental Inspections"

For precertified work groups or categories, search the TxDOT precertification database for firms precertified in the above categories at the following link: [Active TxDOT Precertified Firms](#)

Search the State of Texas HUB Database for HUB vendors at the following link: <https://mycpa.cpa.state.tx.us/tpasscmbsearch/index.jsp>

Minority and women owned business association resources are available for your subcontracting solicitations to State of Texas HUB vendors at this link: <http://www.window.state.tx.us/procurement/prog/hub/mwb-links-1>.

If you have any questions about the State of Texas HUB Subcontracting form, finding HUB vendors, or the State of Texas HUB Program as it pertains to this RFQ, please contact the PEPS Division at (512) 416-2218.

General Guidance for HUB Subcontracting Plan (HSP) Completion

The **current** State of Texas HSP must be filled out and submitted as an attachment to the Statement of Qualifications (SOQ) to be considered responsive. Submittal of a State of Texas Self Performance HSP is not allowed.

If your response to this solicitation does not include a **current** State of Texas HSP, your response shall be rejected as a material failure to comply with advertised specifications. All prime vendors (HUB or Non-HUB) are required to comply.

The **current** State of Texas HSP can be found at the following link: <http://www.window.state.tx.us/procurement/prog/hub/hub-subcontracting-plan/>

Do not complete the HSP Form in its entirety. Not all Sections of the Form will apply to your SOQ. Work through the Form, following the instructions and completing the Sections as applicable.

General guidance for each Section is provided below.

Agency Special Instructions/Additional Requirements

The TxDOT assigned HUB goal for this contract is stated above in this Solicitation and referenced in Attachment 5: Project Team Composition (page 1 of 3). The statewide HUB goal for professional services is 23.6%. Do not confuse these two goals.

The TxDOT assigned goal applies specifically to this solicitation. Your SOQ will be screened to verify that your project team meets this goal. Failure to meet this goal will result in disqualification. Note: If completing Section 2, Item d of the Form, use the TxDOT assigned HUB goal.

The statewide HUB goal of 23.6% does not apply specifically to this solicitation and is for informational purposes only.

Section 1, Respondent and Requisition Information

Complete all of the fields shown. The Respondent Name is your firm's legal name and entity structure (e.g. Inc., LLC). The State of Texas VID # is either your firm's 11-digit Comptroller's Taxpayer Number or nine-digit Federal Employer's Identification Number. The Requisition # is the Solicitation Number, shown on page 1 of this Solicitation. The Bid Open Date is the Statement of Qualifications due date, as shown under "Deadline Date and Time" section of this Solicitation.

Section 2, Subcontracting Intentions

Item a. Self performance is not permitted on this contract. Select Yes, and proceed to Item b.

Item b. List and describe each of your subcontracting opportunities, using the precertification categories and NLCs, shown above. For each opportunity, determine the percentage of the contract to be subcontracted to:

1. HUB firms with which you have had one or more continuous contracts in place for five consecutive years or less;
2. HUB firms with which you have had one or more continuous contracts in place for more than five consecutive years; and

3. Non-HUB firms.

Note the aggregate percentage of the contract to be subcontracted to HUB firms with which you have had continuous contracts in place for five years or less. Proceed to Item c.

Item c. Determine whether you are using only HUB firms to perform all of your subcontracting opportunities. If Yes, complete Section 4 and proceed to Attachment A. If No, proceed to Item d.

Item d. Determine whether the aggregate percentage of the contract to be subcontracted to HUB firms with which your firm has had continuous contracts in place for five years or less meets or exceeds the TxDOT assigned goal for this contract. (See Item b.) If Yes, complete Section 4 and proceed to Attachment A. If No, complete Section 4 and proceed to Attachment B.

Section 3, Self-Performing Justification (Not Applicable)

Self performance is not permitted on this contract.

Section 4, Affirmation

Read and affirm, providing signature, printed name, title, and date.

HSP Good Faith Effort – Method A (Attachment A)

Section A-1, Subcontracting Opportunity. Complete an Attachment A for each subcontracting opportunity listed in Section 2 (Subcontracting Intentions), Item b.

Section A-2, Subcontractor Selection. Follow the instructions in the Form. In the table, do not list the approximate dollar amounts; leave this column blank.

HSP Good Faith Effort – Method B (Attachment B)

Section B-1, Subcontracting Opportunity. Complete an Attachment B for each subcontracting opportunity listed in Section 2 (Subcontracting Intentions), Item b.

Section B-2, Mentor Protégé Program. For each subcontracting opportunity, determine whether you are participating as a mentor and subcontracting to a protégé. If Yes, proceed to Section B-4. If No, proceed to Section B-3.

Section B-3, Notification of Subcontracting Opportunity. Follow the instructions in the Form. Use the HUB Subcontracting Opportunity Notification Form, provided. Proceed to Section B-4.

Section B-4, Subcontractor Selection.

Item a. Follow the instructions in the Form. In the table, do not list the approximate dollar amounts; leave this column blank.

Item b. Follow the instructions in the Form. If any of the subcontractors listed in Section B-1 is a non-HUB firm, provide justification. Limit the justification to a simple statement. A statement of one or two sentences will suffice for most cases.